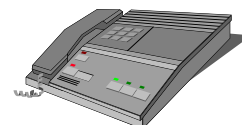


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## 406.1 Purpose

This section describes normal application processing standards. It applies to all Food Supplement Program (FSP) benefit applications including combined FSP benefit, TCA and TDAP applications. It also gives the policies that apply when the timeliness standard is not met. (Expedited service requirements are detailed in section 401, Expedited Processing Standards, of this manual.) Local departments are required to provide timely, accurate and fair service to applicants and recipients.

- A. If a household has contacted the wrong district or county office (the household does not live in that district or county), **the local department will:**
  1. Advise the applicant of the appropriate office location;
  2. Provide the applicant with an application unless the applicant is living in another state;
  3. Provide any additional information as needed or requested;
  4. Encourage the household to contact the appropriate office;
  5. Offer to forward the application **the same day** to the appropriate office if the household has submitted enough information to file an application; and, if the application is mailed in to an incorrect office, that office will forward the application to the appropriate office by any means that ensures receipt in the correct office on the day it is forwarded.
  6. Advise the household that the **application is not considered filed and processing standards do not begin** until the appropriate office receives the application.
- B. An application can be filed in person or through a representative, by mail and electronically by faxing a signed application to the local department.



**Note: The local department must accept applications during all normal business hours, even if the applicant cannot be interviewed at the time the application is dropped off. Remember, if the applicant cannot be interviewed on the day of application, the local department must schedule an appointment for an interview.**

- C. A SAIL application is considered filed when the local department receives the application and signature page.

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## 406.2 Month of Application

- A. The month of application is the calendar month in which the household files its application.
- B. When normal processing occurs and the household is found eligible (even if it is eligible for only one month), it is entitled to benefits for that month, regardless of **the month in which the local department authorizes the FSP benefits.**

**Example:** A customer applies for FSP benefits on November 13<sup>th</sup>, returns all required documentation and is found eligible on December 6. The customer is eligible for FSP benefits for November even though the customer will not receive the actual benefits until December.

- C. It is possible for a household to be ineligible for the month of application, but eligible in the next month because of anticipated changes in circumstances. In this case, the same application is used for denial for the month of application and determination of eligibility for subsequent months.

The application for the next month is considered filed on the date the denial occurs. The household does not have to be interviewed again, but additional verification must be requested if needed. The processing standards detailed below also apply to these unusual cases.

**Example:** Mr. Smith filed an application for FSP benefits for himself, his wife and their two children on November 16 because he was laid off from his job. He will receive his full pay for November. His unemployment will not be processed until the end of December. The application for FSP benefits for November is denied and eligibility begins in December. Mr. Smith **does not** have to file a new application.

## 406.3 30-Day Standard

### 406.31 Approval

- A. Eligible households must complete the following initial application process:
  - 1. Complete and file an application;
  - 2. Participate in an interview; and
  - 3. Cooperate to obtain required verification.

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## **406.4 30-Day Standard (continued)**

### **406.31 Approval**

- B. Eligible households must be provided an opportunity to participate as soon as possible, but not later than 30 calendar days after the application was filed at the correct office.
- C. Opportunity to participate means that the household must receive an EBT card and is trained on its use before the 30-day timeliness standard expires.

### **406.32 Denial**

- A. Denial of the application must occur on or before the 30<sup>th</sup> calendar day after filing under the following conditions:
  - 1. A household is found ineligible. (Send a denial notice as soon as possible, but not later than 30 calendar days after the application was filed.)
  - 2. A household refuses to cooperate in the application process. (Send a denial notice at the time of refusal.)
  - 3. A household misses the initial interview and does not schedule a second interview, and does not contact the local department regarding its application within that time period. (Send a denial notice on the 30<sup>th</sup> day following the date of the application.)
  - 4. The household must file a new application if it wishes to participate in the program.
- B. A notice of denial may be sent to household on the 30<sup>th</sup> day **only if all of the following conditions are met:**
  - 1. An interview is held on the day of application, and
  - 2. All of the necessary verification is requested during this interview, and
  - 3. No requests for verification are made after the date of application, and
  - 4. The local department provides assistance to the household in obtaining the verification when required, and
  - 5. The household fails to provide verification.

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#### **406.32 Denial (continued)**

**NOTE:** Local departments must ensure that the application filing and scheduling of interviews allows sufficient time (10 calendar days) for households to return verification within the 30-day processing standard.

#### **406.4 Delays in Processing**

If the local department does not determine a household's eligibility and provide an opportunity to participate within 30 days of the date the application was filed, the policies that follow must be applied in order to make the determination of fault.

#### **406.5 Determining Fault**

- A. Make a determination of fault at 30-day intervals after the date of application when a case has been delayed. This determination affects the household's entitlement to benefits for the months of delay. It does not determine denial.
- B. Make the determination of fault according to the following guidelines:
  1. Household at Fault:
    - (a) A household is at fault for a delay in processing when the local department takes all the actions required under normal processing procedures, but the household has not completed the requirements. (See chart, Determining Fault).
    - (b) Interviews.
      - (i) For households that fail to appear for an interview the local department must advise the house the responsibility rests with the household to schedule a second interview.
      - (ii) If the household contacts the agency within the 30-day processing time, the agency must schedule a second interview.
      - (iii) If the household fails to schedule a second interview, postpones the interview or cannot schedule it until after the 20<sup>th</sup> day but before the 30<sup>th</sup> day, the household must appear for the interview, provide required verifications and complete work registration by the 30<sup>th</sup> day following application. If the household does not do this, the delay is household fault.
  2. Agency at Fault:
 

The local department is at fault if it does not follow the processing guidelines or fails in some other way to complete the process even though the household has completed everything required of it. (See chart, Determining Fault).

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### Determining Fault

<b>Delay on the 30<sup>th</sup> day The result of:</b>	<b>Household at Fault if:</b>	<b>Agency at Fault if:</b>
Incomplete application	The application was not complete even though the agency offered or attempted to offer to help to complete it.	The agency did not offer help or explanations regarding how to complete the application.
One or more members of the household have not registered for work.	<ol style="list-style-type: none"> <li>1. The <b>agency explained</b> who must register, by what date they must register, and</li> <li>2. Offered to help complete the necessary form(s), and</li> <li>3. Gave the household at least 10 days between notification and the 30<sup>th</sup> day after application to register these members, or</li> <li>4. The <b>household missed the first</b> interview, another was scheduled between the 20<sup>th</sup> and 30<sup>th</sup> day after filing and the <b>worker completed steps 1 and 2 above.</b></li> </ol>	<ol style="list-style-type: none"> <li>1. The household was not informed of who must register and/or</li> <li>2. The registration form(s) were not provided and explained, and/or</li> <li>3. The household's 1st interview was scheduled more than 20 days after the date of application, thus allowing the household less than 10 days to complete the necessary work registrations.</li> </ol>

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### Determining Fault

<b>Delay on the 30<sup>th</sup> day The result of:</b>	<b>Household at Fault if:</b>	<b>Agency at Fault if:</b>
Incomplete Verification	<ol style="list-style-type: none"> <li>1. Agency explained which statements need verification, what is acceptable verification, by what date verification is needed, and</li> <li>2. Offered/provided the household assistance to obtain the verification as required, and</li> <li>3. Allowed the household at least 10 days between the request for the particular verification which is missing and the 30<sup>th</sup> day, or</li> <li>4. The household missed the 1<sup>st</sup> interview, another was scheduled between the 20<sup>th</sup> and 30<sup>th</sup> day after filing, and the agency completed 1 and 2 above at that time.</li> </ol>	<ol style="list-style-type: none"> <li>1. Agency did not explain what verification was needed, and/or</li> <li>2. Did not offer/provide the household assistance as required, and/or</li> <li>3. Schedule the household's 1<sup>st</sup> interview more than 20 days after application, thus allowing it less than 10 days to provide the needed verification, or</li> <li>4. Agency discovered need for further verification after the interview but failed to allow 10 days between the request for verification and day 30, or</li> <li>5. Agency offered assistance but neglected to follow through on the collateral contact or release of information.</li> </ol>

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### Determining Fault

<b>Delay on the 30<sup>th</sup> day The result of:</b>	<b>Household at Fault if:</b>	<b>Agency at Fault if:</b>
Other Interview Factors	1. Household missed 1st interview and requested the 2 <sup>nd</sup> to be scheduled after the 30 <sup>th</sup> day.  2. Household missed 2 interviews and requested a 3 <sup>rd</sup> . No matter when the 3 <sup>rd</sup> occurs, any delay, which occurs, is considered the household's fault.	1. Agency scheduled the household's 1 <sup>st</sup> interview more than 30 days after the household filed its application.  2. The household missed its 1 <sup>st</sup> interview and the household telephones for a 2 <sup>nd</sup> appointment and the agency schedules the 2 <sup>nd</sup> more than 30 days after the application is filed.
Other Factors		The agency or other local staff neglect to complete required processing actions, such as calculating the FSP allotment, completing forms to authorize the EBT card, even though the household has completed all of its requirements.

### 406.6 Delays Caused by the Household

If the 30-day standard has not been met and the local department determines that the household is at fault on the 30<sup>th</sup> day, proceed as follows:

- A. The case manager should allow CARES to generate a delay notice and add text to inform the household that its case will be denied on the 60<sup>th</sup> day after application unless the needed actions are taken.
- B. The household is not entitled to FSP benefits for the month of application if it is found eligible.

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## **406.7 Delays caused by the Agency**

If on the 30<sup>th</sup> day the delay is the fault of the local department, proceed as follows:

- A. Send the household the CARES-generated notice on the 30<sup>th</sup> day, informing it of any action required to complete the process. (If the action needed is to provide verification, the household has 30 days from the date the notice is sent to provide it.)
- B. The local department must take prompt action to correct whatever caused the delay.
- C. The household is entitled to benefits from the month of application, if it is found eligible.

## **406.8 Delays Beyond 60 Days**

There are three possible situations that can cause delays beyond 60 days:

- A. The local department is at fault, but all information needed to determine eligibility has been obtained.
- B. The local department is at fault and there is still information needed to process the case.
- C. The household is at fault.

### **406.81 Agency at Fault, Case Information Complete**

- A. The case must be processed to make an eligibility determination.
- B. If the household is eligible and the local department was at fault for the initial delay (on the 30<sup>th</sup> day), the household is entitled to FSP benefits retroactive to the month of application.
- C. If the initial delay was the household's fault, the household is entitled to FSP benefits only from the month following the month of application.

### **406.82 Agency at Fault, Case Incomplete**

- A. The case must be processed.
- B. Missing information must be requested using the pending notice and the *Request for Information to Verify Eligibility (DHR/FIA 1052)*.



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#### **406.82 Agency at Fault, Case Incomplete (continued)**

- C. The household has 30 days from the date of the request to provide the missing verification.
- D. The household's entitlement to benefits is determined as described in 406.8 above for delayed cases with complete information.

Note: CARES **will not** automatically deny on day 60 when there is an agency delay. These households will stay pending indefinitely and will not deny until the case is finalized.

#### **406.83 Household at Fault**

- A. This will occur if verification is requested after the first 30-day period and the household was given at least 10 days to provide it within the second 30-day period.
- B. The case must be processed.
- C. If verification is provided by the 30<sup>th</sup> day after it was requested, and the household is found eligible in that month, it is only eligible from the month in which the eligibility determination was made. It is not entitled to lost benefits even if the initial delay was the fault of the local department.
- D. If verification is not provided by the 30<sup>th</sup> day after it was requested, the application must be denied. The household is not entitled to FSP benefits for the month of application even if the local department was at fault for the initial delay.

#### **406.9 Food Supplement Program Joint Application Processing Procedures Between Social Security Administration and Local Departments of Social Services**

- A. The Social Security Administration will:
  1. Take FSP applications from SSI claimants who live in pure SSI households, or are applying for SSI from institutional pre-release programs and are not in a pure SSI household.
  2. Send completed FSP applications to the FSP benefit office along with a transmittal form (SSA-4233) and any verification available.

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#### **406.9 Food Supplement Program Joint Application Processing Procedures Between Social Security Administration and Local Departments of Social Services (continued)**

3. Screen for possible entitlement to expedited service, mark the FSP application "Expedited Service" if the applicant wishes and inform the applicant that he may receive FSP benefits sooner if he applies at the appropriate local department of social services.
4. Take FSP benefit teleclaims in connection with SSI applications or redeterminations.
5. Refer Title II claimants or SSI claimants who do not live in a pure SSI household to the servicing FSP office.
6. Complete a FSP application if a FSP recipient has received a notice that recertification is necessary and wishes to reapply.

**B. The Local Department of Social Services will:**

1. Certify eligible FSP applicants.
2. Maintain all FSP records.
3. Send all required FSP notices.
4. Authorize FSP benefits.
5. Take FSP applications from any SSI individual who applies at a local department.
6. Handle recertification activities.

**C. IMPORTANT – The LDSS shall not contact the household applying for FSP benefits in order to obtain information for certification unless:**

1. The application is improperly completed;
2. Mandatory verification is missing; or
3. The LDSS determines that certain information on the application is questionable. In no event would the applicant be required to appear at the FSP office to finalize the eligibility determination.